APPENDIX A PROPOSED RULE CHANGES

Chapter 1 of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1 – Application Requirements and Procedures

The authority citation for part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309, and 325(e).

1. Section 1.934 is amended by redesignating paragraph (d)(3) as (d)(4), and adding a new paragraph (d)(3) to read as follows:

§ 1.934 Defective applications and dismissal.

* * * * *

(d) * * *

(3) It includes a list of amateur station vanity call signs in order of preference and requests, as the first preferred call sign, the same call sign requested on another application filed on the same day by the same applicant.

* * * * *

Part 2 - Frequency Allocations And Radio Treaty Matters; General Rules And Regulations

The authority citation for part 2 continues to read as follows:

AUTHORITY: 47 U.S.C 154, 302a, 303, and 336, unless otherwise noted.

1. Section 2.106 is amended by revising United States footnote US267 to read as follows:

§ 2.106 Table of Frequency Allocation.

* * * *

US267 In the band 902-928 MHz, amateur radio stations shall transmit on the frequency segments 902.0-902.4, 902.6-904.3, 904.7-925.3, 925.7-927.3, and 927.7-928.0 MHz within the States of Colorado and Wyoming, bounded by the area of latitude 39 deg. N. to 42 deg. N. and longitude 103 deg. W. to 108 deg. W.

* * * * *

2. Section 2.815 is amended by removing paragraphs (d) and (e), and revising paragraphs (b) and (c) to read as follows:

§ 2.815 External radio frequency power amplifiers.

* * * * *

- (b) After April 27, 1978, no person shall manufacture, sell or lease, offer for sale or lease (including advertising for sale or lease), or import, ship, or distribute for the purpose of selling or leasing or offering for sale or lease, any external radio frequency power amplifier unless the amplifier has been approved in accordance with subpart J of this part and other relevant parts of this chapter. This proscription shall not apply to the marketing to an amateur radio operator of an external radio frequency power amplifier provided the amplifier is for use at an amateur radio station and the requirements of Sections 97.315 and 97.317 of this chapter are met.
- (c) No person shall manufacture, sell or lease, offer for sale or lease (including advertising for sale or lease) or import, ship or distribute for the purpose of selling or leasing or offering for sale or lease, any external radio frequency power amplifier unless the amplifier has received a grant of certification in accordance with subpart J of this part and other relevant parts of this chapter. No more than 10 external radio frequency power amplifiers may be constructed for evaluation purposes in preparation for the submission of an application for a grant of certification. This proscription shall not apply to the marketing to a licensed amateur radio operator of an external radio frequency power amplifier provided the amplifier is for use at an amateur radio station and the requirements of Sections 97.315 and 97.317 of this chapter are met.
- 3. Section 2.1060 is amended by removing paragraph (c), redesignating paragraph (d) as paragraph (c) and revising paragraph (c) to read as follows:
- § 2.1060 Equipment for use in the amateur radio service.

* * * * *

(c) Certification of external radio frequency power amplifiers may be denied when denial would prevent the use of these amplifiers in services other than the Amateur Radio Service.

Part 97 - Amateur Radio Service

The authority citation for part 97 continues to read as follows:

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609, unless otherwise noted.

1. Section 97.3 is amended by removing and reserving paragraph (a)(19) and revising paragraph (c)(2) to read as follows:

§ 97.3 Definitions.

* * * * *

(c) ***

(2) Data. Telemetry, telecommand and computer communications emissions having designators with A, C, D, F, G, H, J or R as the first symbol; 1 as the second symbol; D as the third symbol; emissions A1C and F2C having an occupied bandwidth of 500 Hz or less, and J2D. Only a digital code of a type specifically authorized in this part may be transmitted.

2. Section 97.19 is amended by revising paragraphs (c)(3) and (d)(1) to read as follows:

§ 97.19 Application for a vanity call sign.

(c) * * *

- (3) Except for an applicant who is the spouse, child, grandchild, stepchild, parent, grandparent, step-parent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, and except for an applicant who is a club station license trustee acting with a statement of consent signed by the person ante mortem or the written consent of at least one relative, as listed above, of a person now deceased, the call sign shown on the license of a person now deceased is not available to the vanity call sign system for 2 years following the person's death, or for 2 years following the expiration of the license grant, whichever is sooner.
- (d) ***
- (1) The applicant must request that the call sign shown on the license grant be vacated and provide a list of up to 25 call signs in order of preference. In the event that an applicant requests the same call sign as their first preferred call sign in more that one application on the same receipt day, only the first processable application received by the Commission will be considered.

- 3. Section 97.111 is amended by redesignating paragraphs (a)(2) through (a)(4) as (a)(3) through (a)(5), respectively, and adding a new paragraph (a)(2) to read as follows:
- § 97.111 Authorized transmissions.
- (a) * * *
- (2) Transmissions necessary to meet essential communication needs and to facilitate relief actions.

- 4. Section 97.113 is amended by revising paragraph (e) to read as follows:
- § 97.113 Prohibited transmissions.

* * * *

(e) No station shall retransmit programs or signals emanating from any type of radio station other than an amateur station, except propagation and weather forecast information intended for use by the general public and originated from United States Government stations, and communications, including incidental music, originating on United States Government frequencies between a manned spacecraft and its associated Earth stations. Prior approval for manned spacecraft communications retransmissions must be obtained from the National Aeronautics and Space

Administration. Such retransmissions must be for the exclusive use of amateur radio operators. Propagation, weather forecasts, and manned spacecraft communications retransmissions may not be conducted on a regular basis, but only occasionally, as an incident of normal amateur radio communications.

* * * * *

5. Section 97.115 is amended by revising paragraph (b)(2), redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c), to read as follows:

§ 97.115 Third party communications.

* * * * *

(b) * * *

- (2) The third party is not a prior amateur service licensee whose license was revoked or not renewed after hearing and re-licensing has not taken place; suspended for less than the balance of the license term and the suspension is still in effect; suspended for the balance of the license term and re-licensing has not taken place; or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings. The third party may not be the subject of a cease and desist order which relates to amateur service operation and which is still in effect.
- (c) No station may transmit third party communications while being automatically controlled except a station transmitting a RTTY or data emission.

* * * *

6. Section 97.201 is amended by revising paragraph (b) to read as follows:

§ 97.201 Auxiliary station.

(b) An auxiliary station may transmit only on the 2 m and shorter wavelength bands, except the 144.0-144.5 MHz, 145.8-146.0 MHz, 219-220 MHz, 222.00-222.15 MHz, 431-433 MHz, and 435-438 MHz segments.

* * * *

7. Section 97.207 is amended by revising paragraph (g) and removing paragraphs (h) and (i) to read as follows:

§ 97.207 Space station.

* * * * *

(g) The license grantee of each space station must file the following notification with the International Bureau, FCC, Washington, DC 20554.

- (1) A pre-space notification within 30 days after launch vehicle determination, but no later than 90 days before integration of the space station into the launch vehicle. This notification shall include an electronic file containing the information required by Appendix 4 of the ITU Radio Regulations in the format consistent with ITU requirements. With that notification, the license grantee of the space station shall include a description of the design and operational strategies the space station will use to mitigate orbital debris, including a casualty risk assessment if planned post-mission disposal involves atmospheric re-entry of the spacecraft. The description must include an analysis demonstrating that debris generation will not result from the conversion of chemical, pressure, or kinetic energy sources on board the spacecraft into energy that fragments the spacecraft. This demonstration should address whether stored energy will be removed at the spacecraft's end-of-life, by depleting residual fuel and leaving all fuel line valves open, venting any pressurized system, leaving all batteries in a permanent discharge state, and removing any remaining source of stored energy, or through other equivalent procedures. If any material item described in the notification changes before launch, a replacement pre-space notification shall be filed with the International Bureau. The replacement notification shall be filed no later than 90 days before integration of the space station into the launch vehicle.
- (2) An in-space station notification no later than 7 days following initiation of space station transmissions. This notification must update the information contained in the pre-space notification.
- (3) A post-space station notification no later than 3 months after termination of the space station transmissions. When termination of transmissions is ordered by the FCC, the notification is required no later than 24 hours after termination of transmissions.
- 8. Section 97.301 is amended by revising paragraphs (b), (c), (d), and (e) to read as follows:

§ 97.301 Authorized frequency bands.

3.725-3.800

g requirements 7.303, aph:
•

3.725-4.000

3.725-3.900

(a)

75 m

(c)	*	*	*

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, Paragraph:
HF 80 m 75 m	MHz 3.525-3.725 3.750-3.800	MHz 3.525-3.725 3.750-4.000	MHz 3.525-3.725 3.750-3.900	(a) (a)

15 m -Do-	21.025-21.200 21.225-21.450	21.025-21.200 21.225-21.450	21.025-21.200 21.225-21.450	

(d) * * *				
Wavelength band	ITU Region 1 F	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, Paragraph:
*****	MII-	Y 01-	NATT-	
<u>HF</u> 80 m 75 m 40 m	MHz 3.525-3.725 7.025-7.125	MHz 3.525-3.725 3.800-4.000 7.025-7.125	MHz 3.525-3.725 3.800-3.900 7.025-7.125	(a) (a) (a)
-Do-		7.175-7.300		(a)

15 m	21.025-21.200	21.025-21.200	21.025-21.200)
-Do-	21.275-21.45	21.275-21.45	21.275-21.45	

(e) * * *				
Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, Paragraph:
<u>HF</u>	MHz	MHz	<u>MHz</u>	1 mugaup
80 m 40 m 15 m 10m	7.025-7.075 21.025-21.200 2	-	3.525-3.725 7.025-7.075 21.025-21.200 28.0-28.5	(a) (a)

9. Section 97.303 is amended by revising paragraph (g)(1) to read as follows:

§ 97.303 Frequency sharing requirements.

- ****
- (g) * * *
- (1) In the States of Colorado and Wyoming, bounded by the area of latitude 39 deg. N. to 42 deg. N. and longitude 103 deg. W. to 108 deg. W., an amateur station may transmit on the frequency segments 902.0-902.4, 902.6-904.3, 904.7-925.3, 925.7-927.3, and 927.7-928.0 MHz. This band is allocated on a secondary basis to the amateur service subject to not causing harmful interference to, and not receiving any interference protection from, the operation of industrial, scientific and medical devices, automatic vehicle monitoring systems, or Government stations authorized in this band.
- * * * *
- 10. Section 97.305 is amended by revising paragraph (c) to read as follows:
- § 97.305 Authorized emission types.
- ****
- (c) * * *

Wavelength	Frequencies band	Emission types authorized	Standards See § 97.307(f), Paragraph:

HF			

40 m	7.000-7.075 MHz	RTTY, data	(3), (9)
-Do-	7.075-7.100 MHz	Phone, image	(1), (2), (9), (11)
-Do-	7.100-7.125 MHz	RTTY, data	.(1), (9)
-Do-	7.125-7.300 MHz	Phone, image	(1), (2)

VHF			

1.25 m	219-220 MHz	Data	(13)
-Do-	222-225 MHz	RTTY, data, test	
		MCW, phone, SS, imag	ge (2), (6), (8)
****		,, , ,	• • • • • • • •

11. Section 97.313 is amended by revising paragraph (c) to read as follows:

§ 97.313 Transmitter power standards.

* * * * *

- (c) No station may transmit with a transmitter power exceeding 200 W PEP:
- (1) On the 10.10-10.15 MHz segment;
- (2) When the control operator is a Novice Class operator or a Technician Class operator who has received credit for proficiency in telegraphy in accordance with the international requirements; or

* * * * *

12. Section 97.315 is amended by revising paragraphs (a), (b) introductory text, (b)(1) through (b)(3), and (c) to read as follows:

§ 97.315 Certification of external RF power amplifiers.

- (a) Any external RF power amplifier (see Section 2.815 of the FCC Rules) manufactured or imported for use at an amateur radio station must be certificated for use in the amateur service in accordance with Subpart J of Part 2 of the FCC Rules. No amplifier capable of operation below 144 MHz may be constructed or modified by a non-amateur service licensee without a grant of certification from the FCC.
- (b) The requirement of paragraph (a) does not apply if one or more of the following conditions are met:
- (1) The amplifier is constructed or modified by an amateur radio operator for use at an amateur station.
- (2) The amplifier was manufactured before April 28, 1978, and has been issued a marketing waiver by the FCC, or the amplifier was purchased before April 28, 1978, by an amateur radio operator for use at that operator's station.
- (3) The amplifier is sold to an amateur radio operator or to a dealer, the amplifier is purchased in used condition by a dealer, or the amplifier is sold to an amateur radio operator for use at that operator's station.
- (c) Any external RF power amplifier appearing in the Commission's database as certificated for use in the amateur service may be marketed for use in the amateur service.

13. Section 97.317 is amended by revising paragraph (a) introductory text, paragraphs (a)(1), (a)(2), and paragraph (b) to read as follows:

§ 97.317 Standards for certification of external RF power amplifiers.

- (a) To receive a grant of certification, the amplifier must:
- (1) Satisfy the spurious emission standards of Sec. 97.307(d) or (e) of this part, as applicable, when the amplifier is operated at the lesser of 1.5 kW PEP or its full output power and when the amplifier is placed in the "standby" or "off" positions while connected to the transmitter.
- (2) Not be capable of amplifying the input RF power (driving signal) by more than 15 dB gain. Gain is defined as the ratio of the input RF power to the output RF power of the amplifier where both power measurements are expressed in peak envelope power or mean power.
- (b) Certification may be denied when the Commission determines the amplifier can be used in services other than the Amateur Radio Service.
- 14. Section 97.401 is amended by removing and reserving paragraph (a), removing paragraph (b), redesignating paragraph (c) as paragraph (a), and revising paragraph (a) to read as follows:

§ 97.401 Operation during a disaster.

(a) A station in, or within 92.6 km of, Alaska may transmit emissions J3E and R3E on the channel at 5.1675 MHz for emergency communications. The channel must be shared with stations licensed in the Alaska private fixed service. The transmitter power must not exceed 150 W. A station in, or within 92.6 km of, Alaska may transmit communications for tests and training drills necessary to ensure the establishment, operation, and maintenance of emergency communication systems.

15. Section 97.407 is amended by revising paragraph (b) to read as follows:

§ 97.407 Radio amateur civil emergency service.

(a) ***

(b) The frequency bands, segments, and emissions authorized to the control operator are available to stations transmitting communications in RACES on a shared basis with the amateur service. In the event of an emergency which necessitates the invoking of the President's War Emergency Powers under the provisions of Section 706 of the Communications Act of 1934, as amended, 47 U.S.C. 606, RACES stations and amateur stations participating in RACES may only transmit on the frequency segments authorized pursuant to part 214 of this chapter.

* * * *

16 Section 97.505 is amended by adding paragraph (a)(10) to read as follows:

§ 97.505 Element credit.

- (a) * * *
- (10) An expired FCC-issued Technician Class license document and a CSCE indicating the examinee has passed a telegraphy examination:

Element 1.

17. Section 97.509 is amended by revising paragraphs (a) and (m) to read as follows:

§ 97.509 Administering VE requirements.

(a) Each examination for an amateur operator license must be administered by a team of at least 3 VEs at an examination session coordinated by a VEC. The number of examinees at the session may be limited.

* * * * *

- (m) After the administration of a successful examination for an amateur service operator license, the administering VEs or the VE session manager must submit the application document to the coordinating VEC according to the coordinating VEC's instructions.
- 18. Section 97.519 is amended by revising paragraph (b) to read as follows:

§ 97.519 Coordinating examination sessions.

* * * * *

(b) At the completion of each examination session, the coordinating VEC must collect applicant information and test results from the administering VEs. The coordinating VEC must:

* * * *

APPENDIX B Commenters

RM-10313

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RM-10352

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APPENDIX C RULE CHANGES

Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 0 – Commission Organization

The authority citation for part 0 continues to read as follows:

AUTHORITY: Sec. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 225, unless otherwise noted.

1. Section 0.131 is amended by revising paragraph (n) to read as follows:

§ 0.131 Functions of the Bureau.

* * * *

(n) Administers the Commission's amateur radio programs (part 97 of this chapter) and the issuing of maritime mobile service identities (MMSIs).

* * * *

Part 97 - Amateur Radio Service

The authority citation for part 97 continues to read as follows:

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609, unless otherwise noted.

1. Section 97.3 is amended by revising paragraph (a)(1) and by removing and reserving paragraph (a)(17) to read as follows:

§ 97.3 Definitions.

- (a) * * *
- (1) Amateur operator. A person named in an amateur operator/primary license station grant on the ULS consolidated licensee database to be the control operator of an amateur station.

* * * *

- 2. Section 97.109 is amended by revising paragraph (d) and removing paragraph (e) to read as follows:
- § 97.109 Station control.

* * * *

(d) When a station is being automatically controlled, the control operator need not be at the control point. Only stations specifically designated elsewhere in this part may be automatically controlled. Automatic control must cease upon notification by a District Director that the station is transmitting improperly or causing harmful interference to other stations. Automatic control must not be resumed without prior approval of the District Director.

* * * *

- 3 Section 97.203(h) is redesignated as Section 97.205(h).
- 4. Section 97.307 is amended by revising paragraph (d) to read as follows:
- § 97.307 Emission standards.

* * * * *

(d) For transmitters installed after January 1, 2003, the mean power of any spurious emission from a station transmitter or external RF power amplifier transmitting on a frequency below 30 MHz must be at least 43 dB below the mean power of the fundamental emission. For transmitters installed on or before January 1, 2003, the mean power of any spurious emission from a station transmitter or external RF power amplifier transmitting on a frequency below 30 MHz must not exceed 50 mW and must be at least 40 dB below the mean power of the fundamental emission. For a transmitter of mean power less than 5 W installed on or before January 1, 2003, the attenuation must be at least 30 dB. A transmitter built before April 15, 1977, or first marketed before January 1, 1978, is exempt from this requirement.

- 5. Section 97.505 is amended by revising paragraph (a)(9) to read as follows:
- § 97.505 Element credit.
- (a) * * *
- (9) An expired FCC-issued Technician Class operator license document granted before February 14, 1991; Element 1.

* * * *

- 6. Section 97.507 is amended by revising paragraph (a)(2) to read as follows:
- § 97.507 Preparing an examination.
- (a) * * *
- (2) Elements 1 and 2: Advanced or General Class operators.
